

**NOTICE OF TYPE II
DEVELOPMENT REVIEW
APPLICATION AND OPTIONAL
SEPA DETERMINATION OF
NON-SIGNIFICANCE**

(Form DS1301A)



The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the County expects to issue a **Determination of Non-Significance (DNS)** for the proposal, as allowed by state law and Clark County Code (CCC) Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal. No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

Closing Date for Public Comments:
March 20, 2009

Information regarding this application can be obtained by contacting the staff contact person listed below, or visit the Public Service Center, Development Services Division, 1300 Franklin Street, 3rd Floor, Vancouver, Washington.

Date of this notice: **March 6, 2009**

Project Name: **HOWARD SCHMID CLUSTER SHORT PLAT**

Case Number: **PLD2008-00071; SEP2008-00113; SHL2008-00010;
EVR2008-00086**

Location: 18908 NE 65th Street

Request: Approval to divide an 18.84 acre parcel into 4 lots using the cluster development provisions in the Rural (R-5) zoning district. The proposal also requires a Shoreline Conditional

Use Permit, and includes a request to reduce transportation sight distance requirements.

Applicant: Brett Yaw, E.I.T.
717 NE 61st Street, Suite 202
Vancouver, WA 98665
(360)260-9400 ext. 41
brett@mossandassociates.net

Contact Person: Same as applicant

Property Owner: Howard Schmid
18908 NE 65th Street
Vancouver, WA 98682

Zoning: Rural (R-5)

Comp Plan: Rural

Legal Description: Parcel (169488-000) located in the East half of Section 7, Township 2 North, Range 3 East of the Willamette Meridian

Applicable Code Sections: Clark County Code 15.12 (Fire Prevention); 40.210.020 (Rural Districts); 40.350 (Transportation & Circulation); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.380 (Stormwater and Erosion Control); 40.420 (Flood Hazard Areas); 40.440 (Habitat Conservation); 40.450 (Wetland Protection); 40.500.010 (Procedures); 40.460 (Shorelines); 40.510.020 (Type II Process); 40.540.030 (Short Plats); 40.550.010 (Road Modifications); 40.570 (SEPA); 40.610 & 40.620 (Impact Fees); and RCW 58.17 (State Platting Laws).

Neighborhood Contact:
Proebstel Neighborhood Association
Wendy Garrett
3021 NE 72nd Drive, Suite 9
PM Box 109
Vancouver, WA 98661
(360) 253-9659
E-mail: proebstelnawendy@yahoo.com

Staff Contact Persons:

Planner: Alan Boguslawski (360) 397-2375, ext. 4921
E-mail: alan.boguslawski@clark.wa.gov

Team Leader: Mike Butts (360) 397-2375, ext. 4137

Please email SEPA comments to:

Rosie.hsiao@clark.wa.gov

Responsible Official: Michael V. Butts, Development Services Manager
Public Service Center, Department of Community Development, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810

Application Filing date: December 30, 2008

Fully Complete Date: January 20, 2009

Hold Date: 1/21/09-2/17/09

SEPA Options:

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an EIS;
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be mitigated through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Timelines/Process:

Decisions on Type II applications are made within 78 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

Appeal Process:

The responsible official's decision on the application may be appealed to the County Hearings Examiner by the applicant or any person or group that qualifies as a "Part of Record." To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record within the comment deadline. Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal application and appeal fee within 14 calendar days after the written notice of the decision is mailed.

SEPA Appeals:

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Information Available on the County Web Page:

- “Weekly Preliminary Plan Review Status Report,” (includes current applications, staff reports and final decisions): (<http://www.clark.wa.gov/commdev/active-landuseN.html>)
- Pre-Application Conferences and Public Land Use Hearing Agendas: (<http://www.clark.wa.gov/commdev/agendasN.asp>)
- Applications and Information Handouts for each Type of Land Use Permit: (<http://www.clark.wa.gov/commdev/applicationsN.html>)

Phone: (360) 397-2375; Fax: (360) 397-2011

Web Page at: <http://www.clark.wa.gov>

Attachments:

- Proposed project site plan
- Map of property owners receiving notice

Agency Distribution:

This notice is being provided to the following agencies with jurisdiction whose services maybe impacted by implementation of this proposal:

Federal Agencies:	U.S. Army Corps of Engineers - Enforcement Division
Tribes:	Cowlitz Indian Tribe Yakama Nation Chinook Tribe
State Agencies:	Department of Natural Resources (S.W. Region) Department of Ecology Department of Fish and Wildlife Department of Transportation
Regional Agencies:	Fort Vancouver Regional Library Southwest Clean Air Agency Vancouver-Clark Parks & Recreation
Local Agencies:	Clark County Department of Community Development Development Services Development Engineering Fire Marshal's Office Clark County Health Department Clark County Public Works Transportation Division Clark County Conservation District Clark County Water Resource Council City of Vancouver Transportation
Special Purpose Agencies:	Fire Protection District #5 Clark Public Utilities City of Vancouver Water/Sewer Clark Regional Wastewater District
The Media	The Columbian The Oregonian The Reflector Vancouver Business Journal The Post Record
Other:	Applicant Clark County Neighbors Clark County Natural Resources Council Clark County Citizens United C-Tran Proebstel Neighborhood Association

Add Attachment for Agencies:

- SEPA checklist